

of a silly and suspect survey that has slapped the citizens with uncertainty and soured them for the security because seizing citizen sites has taken place.

The question was asked: Where is BLM? That is a good question. Where is BLM? They started this problem 8 years ago and have yet to do anything to try and solve the problem. That is why this bill is here before us because BLM has not done their job. Using a poor survey process, they have simply put people who have done nothing wrong in doubt of their ownership of their property which they have had for generations and have been paying taxes on for years. Yet, in 8 long years, BLM has done nothing to solve the situation to give them the certainty so they know where they stand.

That is why the private citizens went to court. The only reason it is in court is because these private citizens were so frustrated with BLM taking so long to do something that could have been done within a matter of weeks, and yet it is now 8 years into a process simply because BLM used a flawed survey. Instead of using the gradient boundary survey method that the Supreme Court suggests, they did something else which brought them to the unusual conclusion that BLM actually owned 90,000 acres of land on this riverbank that they have never had in their history.

Later, they realized that was an unusual claim, so they lowered it down to: I own 30,000 acres of land—but 30,000 acres of land that has been in private property for years, for generations, they have been paying taxes on it, and now their land is in limbo. They can't do anything simply because BLM has refused to do its job.

It is not just here in Texas. Go across the State boundary to Louisiana where Lake Bistineau has the exact same problem with the exact same survey problems from the same agency, BLM. Go all the way to Colorado with Elkhorn Ranch. Once again, survey problems done by BLM which placed claims on private property that are exorbitant and yet moves at a snail's pace to try and solve the problem.

One of the first issues I dealt with when I came to Congress was Hyde Park, and, once again, the Federal Government—this time it was the Forest Service—taking claim on lands that had been, for generations, in private property and refusing to try and work with the property owners to solve the problem. That is what has been going on for 8 long years with the boundary line between Texas and Oklahoma.

Why are we coming here with a bill? Simply because you have got to solve the problem. You have got to fix the problem for people.

I have to also say something. The misrepresentation of the BLM planning rule that was presented is a total misrepresentation. In fact, when we removed that rule, the 2.0 planning rule, we did it because people want to have

their voices heard and are eliminated if that planning rule goes into effect. That is why it has to stop, so this type of situation does not happen again.

Some people have said this may be an unprecedented concept. Actually, our realization that somebody has to handle the situation by actually allowing Oklahoma and Texas to pick qualified surveyors, do the survey—and do the survey—and then coordinate with the tribes so they come up with a process, that is exactly what should have happened in 2009. Because BLM didn't do it, we are going to bring a bill to make sure they actually get something done.

This has been supported by the Texas and Oklahoma Farm Bureaus, the Texas General Land Office, Texas Southwest Cattle Raisers Association, and the people who live in this area who want to have some kind of conclusion so they can have their property rights respected.

Now, it has been said what we are doing is unprecedented—perhaps. What we are doing is trying to solve the problem to help people; and if it takes an unprecedented action by Congress to solve people's problem and let them move on with their lives, then that is the responsibility of Congress. We are the ones who establish what the policies should be, not some executive branch agency of government. It is our responsibility.

We are doing exactly what the people expect us to do by saying 8 years of unexpected and unanswered questions is far too long. Solve the problem and help people so they know what is their private property and what is not their private property and they can move on with their lives. If that is unprecedented, then it is about time we did something that is unprecedented. That is important.

That is why this bill is here, and that is why this bill is here now. It is coming at the beginning of the session because we cannot wait longer for the BLM to actually do what they should have done in 2009.

Now, Mr. Speaker, I want you to realize we are here on Valentine's Day. There is nothing special about that, but this is an issue where there has been no love lost. In fact, the landowners along this river have been simply soaked. But deep in the heart of Texas—all right, I know it is a boundary line, but I have got to get the heart in there some way. Deep in the heart of Texas, we are coming forth with a bill that is showing that the love for people who have paid their taxes and lived on this land for generations is not forgotten and that BLM has committed a crime of the heart with this land grab.

Indeed, Chairman THORNBERRY has passionately defended the interests of his constituents who just want to know the government loves them. That is why this bill is here. That is why it needs to be supported, and that is why I urge you to vote “yes.”

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 99, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. HANABUSA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 52 minutes p.m.), the House stood in recess.

□ 1615

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 4 o'clock and 15 minutes p.m.

RED RIVER GRADIENT BOUNDARY SURVEY ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on passage of the bill (H.R. 428) to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 250, nays 171, not voting 10, as follows:

[Roll No. 92]

YEAS—250

Abraham	Brat	Comstock
Aderholt	Bridenstine	Conaway
Allen	Brooks (AL)	Cook
Amash	Brooks (IN)	Costello (PA)
Amodei	Buchanan	Cramer
Arrington	Buck	Crawford
Babin	Bucshon	Crist
Bacon	Budd	Cuellar
Banks (IN)	Burgess	Culberson
Barletta	Byrne	Curbelo (FL)
Barr	Calvert	Davidson
Barton	Carter (GA)	Davis, Rodney
Bergman	Carter (TX)	Denham
Biggs	Castro (TX)	Dent
Bilirakis	Chabot	DeSantis
Bishop (MI)	Chaffetz	DesJarlais
Bishop (UT)	Cheney	Diaz-Balart
Black	Coffman	Doggett
Blackburn	Cole	Donovan
Blum	Collins (GA)	Duffy
Bost	Collins (NY)	Duncan (SC)
Brady (TX)	Comer	Duncan (TN)

Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)

Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
O'Rourke
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)

Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
Pallone
Panetta
Pascarelli
Payne
Pelosi
Perlmutter
Pingree
Pocan

Polis
Price (NC)
Quigley
Raskin
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires

Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Velazquez
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 43, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF FINAL RULE BY SECRETARY OF HEALTH AND HUMAN SERVICES; PROVIDING FOR CONSIDERATION OF H.J. RES. 69, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF FINAL RULE OF DEPARTMENT OF THE INTERIOR; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM FEBRUARY 17, 2017, THROUGH FEBRUARY 24, 2017

Mr. BURGESS, from the Committee on Rules, submitted a privileged report (Rept. No. 115-12) on the resolution (H. Res. 123) providing for consideration of the joint resolution (H.J. Res. 43) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients; providing for consideration of the joint resolution (H.J. Res. 69) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska"; and providing for proceedings during the period from February 17, 2017, through February 24, 2017, which was referred to the House Calendar and ordered to be printed.

NOT VOTING—10

Beatty
Demings
Engel
Gallego
McCaul
Mulvaney
Rice (NY)
Rush
Visclosky
Zinke

□ 1638

Ms. MCCOLLUM, Messrs. JEFFRIES, and KILDEE changed their vote from "yea" to "nay."

Messrs. PETERS and DOGGETT changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MCCAUL. Mr. Speaker, on February 14, 2017, I missed both voting sessions. If present, I would have voted as follows:

"Yes"—Previous Question on H. Res. 99.

"Yes"—H. Res. 99—The combined rule providing for consideration of the bill H.R. 428—Red River Gradient Boundary Survey Act and of the bill H.J. Res. 42—Disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants.

"Yes"—Previous Question on H. Res. 116.

"Yes"—H. Res. 116—The combined rule providing for consideration of the bill H.J. Res. 66—Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees and of the bill H.J. Res. 67—Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

"Yes"—H.R. 428—Red River Gradient Boundary Survey Act.

PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT

Mr. BURGESS. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 23

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, February 28, 2017, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AMERICAN HEART MONTH

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today, there will be a lot of focus on hearts, and I would like to talk about heart health.

February marks American Heart Month, which is an annual awareness

NAYS—171

Adams
Aguilar
Barragán
Bass
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
DeSaulnier
Deutch
Dingell
Doyle, Michael F.
Ellison
Eshoo
Españillat
Esty
Evans
Foster
Frankel (FL)
Frankel (NY)
Gabbard
Garamendi
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jayapal
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney
Carolyn B. Maloney, Sean